

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
Richmond Division

In re:)	
)	
CIRCUIT CITY STORES, INC., et al.,)	Case No. 08-35653-KRH
)	Chapter 11
Debtors.)	(Jointly Administered)

**JOINDER OF 502-12 86th STREET LLC TO LANDLORDS'
MOTION FOR REHEARING AND/OR RECONSIDERATION AND/OR
TO ALTER OR AMEND THE JUDGMENT REGARDING PAYMENT
OF NOVEMBER RENT AND MEMORANDUM IN SUPPORT THEREOF**

502-12 86th Street LLC ("502-12 LLC") hereby joins in the motion of the Landlords (the "Motion") (Docket No. 1347)¹ to rehear and/or reconsider and/or to alter or amend the Court's December 22, 2008 oral ruling as to whether 11 U.S.C. § 365(d)(3) requires the Debtors to make timely payment of November administrative rent to 502-12 LLC pursuant to its lease² with the Debtors. 502-12 LLC further joins in similar, consistent requests that have been or may be filed by other landlords to the Debtors.

WHEREFORE, 502-12 LLC respectfully requests that the Court enter an order which (a) grants a rehearing and/or reconsideration of the Court's December 22, 2008 ruling denying 502-12 LLC immediate payment of its November administrative rent; (b) authorizes and directs the Debtors to immediately pay the rent owed to 502-12 LLC pursuant to Section 365(d)(3) of the

¹ The Landlords are those creditors listed in Exhibit A of the Motion, a true and accurate copy of which exhibit is attached hereto as Exhibit 1.

² A true and accurate copy of the August 23, 2005 lease (the "Lease") executed between the Debtors and 502-12 LLC is attached hereto as Exhibit 2. Pursuant to Section 16(C) of the Lease, 502-12 LLC is entitled to payment of its reasonable attorney's fees by the Debtor in the event that 502-12 LLC prevails in obtaining the relief sought in the Motion.

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Co-counsel for 502-12 86th Street LLC

Co-counsel for 502-12 86th Street LLC

Bankruptcy Code; (c) authorizes and directs the Debtors to reimburse 502-12 LLC for all of its reasonable attorney's fees and costs incurred in preparing and prosecuting this Motion as a result of the Debtors' failure to comply with the terms of its Lease and Section 365(d)(3) of the Bankruptcy Code; (d) authorizes and directs the Debtors to make all future monthly payments of administrative rent and related charges to 502-12 LLC in full and as when due under the Lease; and (e) grants such other and further relief as this Court deems just and proper.

Dated: January 5, 2008

502-12 86th STREET LLC

By: /s/ Sheila deLa Cruz
Counsel

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CERTIFICATE OF SERVICE

I hereby certify that on the 5th day of January, 2009, I caused a copy of the foregoing to be served by electronic means on the "2002" and "Core" lists and through the ECF system.

/s/ Sheila deLa Cruz
Sheila deLa Cruz